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TO**COMPANY****FAX NUMBER** 17038729306**FROM** charles mirho**DATE** 2004-12-07 18:17:05 GMT**RE** 09/699,236**COVER MESSAGE****CERTIFICATE
OF FACIMILE****In the
matter of:****ADAPTIVE BANDWIDTH SYSTEM****AND METHOD FOR BROADCAST DATA****Number:
09/699,236****Application****code: FSP0096****Docket****October 27, 2000****File date:**

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14 pages of amendment and response

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CERTIFICATE OF FACIMILE

In the matter of:

ADAPTIVE BANDWIDTH SYSTEM
AND METHOD FOR BROADCAST DATA

Application Number: 09/699,236

Docket code: FSP0096

File date: October 27, 2000

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Dec 2004

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12/7/04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Art Unit: 2661

Daniel Sheeran

Attorney Docket: FSP0096

Application No. 09/699,236

Filed: October 27, 2000

For: ADAPTIVE BANDWIDTH SYSTEM AND
METHOD FOR BROADCAST DATA

Examiner: Phirin Sam

Date: 10/24/2004

TRANSMITTAL LETTER

COMMISSIONER FOR PATENTS
Washington, DC 20231

Enclosed for filing in the application referenced above are the following:

14 pages of amendment and response
One page of Certificate of Facimile

Name: Charles A. Mirho

Signed: (Signature) Date: 12/07/2004

Page 1 of 14

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application: 09/699,236) Examiner: Phirin Sam
First Inventor: Daniel Sheeran) Art 2661
Filing date: October 27, 2000)
Attorney Docket: FSP0096)
)
)
Title: ADAPTIVE BANDWIDTH SYSTEM AND METHOD FOR BROADCAST DATA)
)

AMENDMENT AND RESPONSE TO OFFICE ACTION

Claims 1-56 were originally presented.

Claims 1, 21, and 39 are currently amended.

Payment was previously made for the prosecution of 56 total claims. The present number of total claims does not exceed this number, hence no fee for additional total claims is due. Payment was previously made for the prosecution of 3 independent claims. The present number of independent claims does not exceed this number, hence no fee for additional independent claims is due.

1.(Currently amended) A system for dynamically allocating bandwidth between one or more customer services to provide a switched data network for broadcast data, comprising:
one or more different customer service providers that each provide different data to one or more customers;
one or more service nodes wherein each service nodes provides data to ~~one or more customers at~~ ~~plurality of customer premises~~ and each service node receives a unique multiplex of digital data for its customers ~~premises~~; and
~~a dynamic bandwidth allocation module for allocating the bandwidth of the system between the one or more different customer service providers to the one or more service nodes wherein the bandwidth assigned to each customer service provider for each service node is dynamically~~

Amendment and Response to Office Action
Before Phirin Sam, Art Unit 2661
Re: 09/699,236